

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CECIL G. MCCONNELL

§

VS.

§ CIVIL ACTION NO. 1:04cv675

UNITED STATES OF AMERICA

§

MEMORANDUM OPINION AND ORDER

Movant Cecil G. McConnell, a prisoner confined at the Federal Prison Camp in Beaumont, Texas, proceeding *pro se*, filed this motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255.

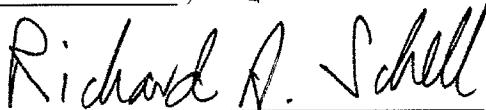
Discussion

On December 7, 2005, the movant filed a motion requesting that this motion to vacate sentence be dismissed. The Court is of the opinion it would be in the interest of justice to grant the motion and dismiss the proceeding without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

ORDER

For the foregoing reasons, the motion to dismiss is hereby **GRANTED**. A final judgment will be entered in accordance with this memorandum opinion.

SIGNED this 3 day of January, 2006



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE